

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
)	
UNITED STATES OF AMERICA)	
)	
v.)	No. 16-cr-10094-LTS
)	
ROSS MCLELLAN,)	
Defendant)	
_____)	

**MOTION TO EXTEND BAIL AND CONTINUE SELF-SURRENDER DATE
FROM JUNE 24, 2020 TO JULY 7, 2020**

Now comes the defendant, Ross McLellan, by and through undersigned counsel, hereby respectfully requests this Honorable Court to issue an Order extending Mr. McLellan's bail and continuing his current June 24, 2020 self-surrender date to July 7, 2020.

Following trial, on October 16, 2018, this Honorable Court sentenced Mr. McLellan to *inter alia* 18-months incarceration. Dkt. 520, 522. On December 21, 2018, the First Circuit granted Mr. McLellan's request for bail pending appeal. Dkt. 548. Consistent with the First Circuit order, Mr. McLellan remained on bail during the pendency of his appeal and has faithfully complied with all of his conditions of release. On May 20, 2020, the First Circuit issued a judgment affirming Mr. McLellan's conviction. Dkt. 566.

On June 2, 2020, Mr. McLellan received an email communication from the BOP requiring him to self-surrender to FPC Devens on June 24, 2020. The United States Marshall's Office and the BOP confirmed to Mr. McLellan's counsel that Mr. McLellan is indeed designated to FPC Devens and that the BOP scheduled Mr. McLellan to self-surrender on June

24, 2020.¹ Mr. McLellan respectfully requests an approximate two-week continuance of his self-surrender date to July 7, 2020 so that he can spend the July 4 holiday with his wife and four children. Mr. McLellan is not a flight risk and has complied with all of his conditions of release since his initial admission to bail more than four years ago. *See* Dkt. 10. Mr. McLellan is cognizant of the COVID-19 health risks, however, seeking finality, Mr. McLellan respectfully requests this Honorable Court to permit him to self-surrender to FPC Devens on July 7, 2020.

WHEREFORE, the defense respectfully requests this Honorable Court to issue an Order extending Mr. McLellan's bail and continuing his current June 24, 2020 self-surrender date to July 7, 2020.

COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

Counsel for Mr. McLellan submitted a copy of this motion to AUSA Stephen Frank, who has not yet taken a position on the instant request.

Respectfully Submitted,

Ross McLellan
By his Attorney,

/s/ Martin G. Weinberg
Martin G. Weinberg
Mass. Bar No. 519480
20 Park Plaza, Suite 1000
Boston, MA 02116
(617) 227-3700
owlmgw@att.net

¹ According to the United States Marshall's Office, if a self-surrender date is not set by the court, the BOP self-selects a date approximately four weeks following entry of judgment.

CERTIFICATE OF SERVICE

I, Martin G. Weinberg, hereby certify that on this date, June 5, 2020, a copy of the foregoing document has been served via Electronic Court Filing system on all registered participants.

/s/ Martin G. Weinberg
Martin G. Weinberg